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Message from the President of the United States to the two Houses of Congress, at the commencement of the first session of the Thirty-first Congress : Report of the Secretary of War, 1849.

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REPORT

OF

THE SECRETARY OF WAR.

WAR DEPARTMENT,
Washington, November 30, 1849.

SIR: I have the honor to present the following report of the operations of this department during the past year.

The returns and statements of the Adjutant General, herewith, exhibit the strength and distribution of the military force. Agreeably to these returns, the present strength of the army is less than the organization provided by law. The deficiency arises from the discharges, deaths, and desertions which have taken place, and the difficulty of immediately supplying the want by new enlistments. The desertions have been most numerous in California, where the temptations to embark in more lucrative pursuits, and the facilities for the sudden acquisition of wealth, are so greatly multiplied. Out of a force of twelve hundred regular troops in that territory since the 1st of January, the desertions within the first eight months have equalled two-fifths of that number. The policy adopted by the commanding officer of granting short furloughs to the troops in small numbers, for the purpose of enabling them to work for their individual benefit at the *placers*, had the effect to check desertions to a degree; but the emergencies of the service, and the limited number of troops for duty, prevented the measure from being carried out to the extent desired, and the evil of desertions consequently continues to exist.

The recruiting of the army is regulated by the casualties in the service, so that the enlistments can at no time exceed the total fixed by law. The delays in receiving these returns of casualties will always keep the actual force considerably below the legal standard. According to the practice which has long prevailed, the great majority of enlistments is made in the northern Atlantic cities and the adjacent interior towns, whence the recruits are sent to the general depot for instruction, and finally distributed to the southern and western posts, according to the wants of the service. It necessarily follows that considerable time intervenes between the enlistment of the recruit and his presence with his company. Independently of this loss of time and service, and the fatal influence which a change of climate not unusually produces on the health of the recruit, his transportation and subsistence constitute a heavy expenditure. To remedy these disadvantages, and to encourage enlistments in the vicinity of troops serving at frontier and remote stations, especially in California, Oregon, and New Mexico, it is recommended that a bounty be allowed to each recruit enlisted at or near such stations, equal to the cost of transporting and subsisting a recruit from the general depot to the place of such enlistment. To guard against desertions and promote good conduct, it is proposed that the bounty should be divided

into instalments, so that their several amounts would be increasing annually, according to length of service, and the largest amount be paid to the soldier on his discharge. This bounty would also be a strong inducement to old soldiers to re-enlist in their respective companies; an object always deemed of importance to the service.

It has been found impracticable to carry into effect the provisions of the act of 14th of August, 1848, which authorizes an increase of the rank and file of certain regiments by transfers from others of the same arm; the present organization being too limited, and the difficulty of keeping the several companies up to their legal complement too great, to hazard a further reduction, with a due regard to the discipline and efficiency of the several corps. The protection of our frontier lines previous to the late war with Mexico, was then deemed a task equal to the capacity of the army. The additions recently made seem to impose the necessity of increasing the military force, in order that its strength may be adequate to the wants which the vast extension of our territorial limits requires. One territory, New Mexico, is almost surrounded by numerous tribes of predatory Indians, and open at all points to their incursions. The perils which are thus presented retard the growth of frontier settlements, which, in their infancy, are attended with severe privations, demanding the exercise of the highest courage and energy of the pioneer. Exposure to the rapine of the savage should not be a superadded evil. The duty of the government is to afford protection. To enable it to do this effectually, it is submitted that the numerical strength of each company at the several military posts on our western frontier be increased to seventy-four privates, and that a part of the infantry be mounted as emergencies arise. This plan for increasing the defence of our frontiers is respectfully presented, as combining the greatest economy and security. Without a larger regular force, the Executive will find the occasions frequent and necessary to make requisitions on the militia of the States who are called into service for short periods, with injurious interruptions in their ordinary avocations, as well as great expense to them and the government. Experience has shown that for the preservation of peace and public tranquillity on our borders, the presence of a strong military force restrains the warlike inclinations of the Indians, whilst its absence has sometimes involved the government in protracted and costly wars.

Great embarrassment has heretofore arisen from the supposed actual rank which brevet commissions confer. Their recent multiplication will increase the difficulties and inconveniences to which the military service has been exposed. Apart from the conflicting claims of officers holding brevet commissions, it may be affirmed that instances frequently occur when pay is paramount to rank, and when the brevet rank itself cannot in legal contemplation take effect. In the case of staff officers who have no command, and who can exercise none except by special assignment, these brevet commissions are only honorary distinctions; and, examined closely, this is the basis on which rest all brevets. The presumption is reasonable and just that every officer performs his required duty, and he who does more is entitled to honorable reward. It is, then, respectfully submitted whether the object in authorizing this class of commissions is not accomplished by retaining them as honorary distinctions, and restricting the officers holding them to their lineal rank and pay according to the commissions by which they are mustered in their respective regi-

ments and corps. If any exceptions be made to the rule here proposed, it is believed that, in view of the more efficient discipline and service of the troops, brevet rank and pay should exist only when volunteers and militia are united with the regular army, or when officers having brevet commissions are detailed for duty, by special assignment, with difficult or expensive commands in remote departments or divisions. According to law, brevet rank takes effect in detachments composed of different corps; but from the liberal construction which has heretofore been given to the articles of war, it would seem that every garrison at each of our numerous and widely extended posts is considered a detachment from the army without any definite conception of the locality where its main body is concentrated.

Another inconvenience resulting to the service is the anomalous position of officers holding staff commissions which confer rank. These officers are not considered by established usage as eligible to the command of troops unless specially assigned, whilst at the same time they claim exemption from the orders of their juniors in the line who succeed to such commands. This state of things is calculated to injure the service by a suspension, for the time being, of the functions of the staff officers in cases where a junior line officer exercises the command. To obviate which, it is suggested that a law be enacted requiring officers of the general staff, serving with troops, to execute, according to their respective duties, all orders emanating from the senior officer of the line which may relate to the discipline, police, and good order of his command, and for which he alone is responsible.

The necessity of adopting some rule for retiring disabled officers from the army is more apparent at this time than at any former period of its history. The injurious effects of a foreign war, prosecuted in a climate unfavorable to health, and the casualties inseparable from a contest remarkable for the disparity of the opposing forces, have added to the list of those disabled from age or other cause, and greatly increased the number of ineffective officers. To retain them would but impede that activity and efficiency which the protection of our recently extended frontiers necessarily demands from the army; to discharge them without suitable provisions, crippled and worn out in the public service, would be unjust and ungrateful. In order to preserve the efficiency of the army, and without doing violence to a sense of justice towards this deserving class of officers, it is respectfully suggested that the President be authorized to place on the retired list such as in his judgment may be disqualified from age, wounds, or other disability, with an allowance equal to the pay proper of their respective grades. An effective check on the exercise of this power would be found in a legal inhibition declaring that no officer shall be retired until the Senate shall have confirmed the nomination of his successor. The number of officers to be comprehended in the list of those who may, with advantage to the public service, be retired, will probably not exceed twenty-five; the sum of whose pay will be less than fifteen thousand dollars annually.

I also respectfully recommend to favorable consideration the plan of providing an asylum for the comfort and repose of veteran soldiers, on whom time and the perils of an arduous service have produced their natural or accidental effects; and I take leave to express my concurrence in the views of the commanding general of the army on this subject. Should

the suggestions of that officer be not approved, it is then submitted that some plan of benevolence and gratitude be commenced under the sanction of Congress which shall require all disbursing officers of the army to receive and account for such sums as may be voluntarily contributed for this object. It is not doubted that, at some future day, a fund will be thus realized, which, judiciously employed, will supply this essential want and accomplish a purpose which will be universally approved.

The effective power of the army is deemed to be inseparably connected with the Military Academy at West Point. As one of the means of national defence, it is not only the best, but the cheapest; unless the rule be inverted which admits that the most efficient corps are commanded by the most skilful officers. Having its organization on a popular basis, and diffusing its benefits equally to all sections of the Union, this institution may be safely commended to the care and patronage of the government, not less for the brilliant achievements of its graduates than their happy example to others who are to follow them.

The outrages committed by the Indians in New Mexico have been of a serious character, resulting in the massacre of several of the inhabitants, and depredations upon the property of the settlers to a considerable extent. The troops in that territory have been constantly occupied during the past year in giving protection to the settlements and in pushing their scouts against the hostile and marauding bands. These duties have been performed with alacrity and zeal, but not without privation and suffering on the part of troops operating in a broken and difficult country, during the heats of summer and amidst the almost impassable snows of winter. In the several affairs which took place, the Indians were generally encountered in superior numbers, and always routed with considerable loss in killed and wounded. The attacks of these marauding bands becoming more frequent as the spring opened, and often resulting in the murder of our citizens, the commanding officer, in order to afford greater protection than could be given by the limited regular force under his command, called into service an auxiliary volunteer force. Four companies of this description of troops were engaged for six months, and distributed so as to protect the lives and property of the inhabitants most exposed to attack.

In September a movement was made against the Navajo Indians, in their stronghold at the cañon of Cheille, which resulted in a treaty with that nation on terms similar to those granted to other tribes upon our frontiers, and the surrender of several captives.

Attempts were made, under the orders issued from this department in May last, to open communications with the Indians remaining in Florida, with a view to ascertain their feelings in respect to emigration. Whilst the officer charged with the instructions was endeavoring to obtain interviews with the several chiefs in the vicinity of Charlotte Harbor, acts of violence and murder were committed by a small band of the tribe upon the settlements on Indian river and Pease creek, which had the effect to frustrate, for a time, any effort at negotiation. On receiving intelligence of these outrages, from some of the inhabitants who had fled from the scenes of violence, arrangements were immediately made by the commanding officers at St. Augustine, Tampa Bay, and Key West, to afford that protection within their means which the circumstances demanded. Prompt measures were also taken by this department to send reinforce-

ments to the troops in Florida, with a view to control the Indians in case it should appear, as this department did not then suppose, that these outrages had been dictated by a general feeling of hostility on the part of the several tribes. The number of troops thus collected in Florida, within the month of September, was upwards of seventeen hundred, officers and men—a force deemed sufficient to give confidence to the inhabitants and to promote the emigration of the Indians.

Upon renewing the efforts to negotiate with the Indians, the principal chiefs, with their sub-chiefs and warriors, were met in council. They at once agreed to deliver up the offenders, (five in number,) whom they represented as having committed the murders without the sanction or knowledge of any chief, and in opposition to the wishes of the Indians. Three of these have since been surrendered. Of the remaining two, one in attempting to escape was killed by the Indians; the other effected his escape, but his early capture and surrender have been promised by the chiefs. On the subject of emigration, the Indians requested time for deliberation, and a meeting in council has been arranged for a subsequent day. The policy which has been pursued, and which will probably be continued for the removal of these Indians to their brethren west of the Mississippi, will be seen in the correspondence which accompanies this report.

During the past spring and part of the summer, the troops in Texas had become greatly reduced in effective strength by the ravages of the cholera, which prevailed there to such an extent as to retard, in some measure, contemplated military movements, having for their object the establishment of a line of posts for the protection of the frontier settlement against the attacks of hostile bands. The frequency of these attacks and the difficulty of covering so extended a frontier with the very limited disposable regular force, distributed in small commands, at points remote from each other, made it necessary for the commanding general in Texas to avail himself of the authority previously given, to call upon the Executive of that State for three companies of mounted militia. Orders have been given for the discharge of those additional companies, and also those in New Mexico, as soon as the exigencies under which they were called into service shall have ceased to exist, and it is recommended that appropriations be made by Congress to pay them for the time they may have been employed. No recent disturbances in Texas have been reported; and from the proffers of peace which have been lately made by the Comanche nation, through their newly elected head chief, with manifestations of the most friendly dispositions towards the United States, and a determination by them to abstain from any further depredations upon our citizens, it is believed that the regular troops in that country will be sufficient for any emergency likely to arise. The operations in New Mexico and Texas have resulted in the recovery of many of the captives previously made by the Indians, several of whom have been restored to their homes in Mexico, agreeably to the provisions of the late treaty with that republic.

The department was prevented by the demand for troops in Mexico, during the recent war, from effecting much in respect to the establishment of military posts on the route to Oregon, required by the act of the 19th May, 1846, beyond the selection of the first station, on Platte river, near Grand island, known as Fort Kearny. Within the last spring, arrange-

ments were made to place the regiment of mounted riflemen, originally designed for this service, upon the route. Early in May the regiment moved from Fort Leavenworth, and proceeded via Fort Kearny to Fort Laramie, and after establishing at that point the second military station, continued its march in the direction of Oregon. By the last intelligence received, the regiment had passed beyond Fort Hall, on the upper waters of the Columbia river, and doubtless, ere this, it has reached its ultimate destination, after having established the intermediate station between Fort Laramie and the Pacific, and giving escort to a large number of emigrants.

To hasten and insure the arrival of the officers connected with the customs in California, as well as of a navy agent for the port of San Francisco, and certain Indian agents transferred to and sub-agents appointed for the territories of New Mexico and California, an order under your direction was given to the proper department to furnish to them transportation at public expense. About the same time, information reached the department that a large number of emigrants had assembled at or near Fort Leavenworth, and who, in their long journey to their new and distant homes on the Pacific, would probably encounter the increased wants which their numbers were well calculated to produce. Accordingly, the officers of the subsistence department, under a like direction, were ordered to relieve all cases of distress in the wilderness, without disclosing the benevolent purpose of the order.

In connexion with the subject of providing the necessary means for the defence of our distant territories, the erection of fortifications for the protection of such of our harbors on the Pacific as may be indicated by the board of engineer officers at present engaged in making examinations and surveys for these objects, is respectfully recommended.

At an early period after the appropriation was available for surveys required to be made west of the Mississippi, and extending to the Pacific ocean, necessary instructions were given, and several routes suggested and directed to be examined. The reports of the several corps engaged in this service will be furnished as soon as received. In the mean time, the instructions issued from this department are respectfully submitted.

The estimates submitted for the improvement of harbors and rivers, refer to works which have heretofore received the sanction of Congress. In respect to other and new works, it is presumed that, in accordance with a safe usage, no appropriations will be made without previous surveys and estimates by competent officers.

Should Congress make appropriations in conformity to the estimates, it is believed that the amount could only be judiciously applied under the supervision of the corps charged with the superintendence of public works of this class. An excess of appropriation materially varying the estimated amount, would impose the necessity of increasing the corps of Topographical Engineers, which is not recommended.

In the interval of time between the proclamation of peace with the republic of Mexico, and the period when our revenue laws were extended over Upper California, a large amount was collected by officers of the army, as duties on importations into the several ports of that territory. The same system has been continued by these officers up to the arrival of the authorized agents of the treasury; who, doubtless, before this time, have superseded the military officers employed in this extraordinary service. The order given by the commander of the Pacific division required

the collections to be continued till the military officers were superseded by the proper officers of the treasury, and the amounts thus realized should be subject to the final decision of Congress. It is respectfully recommended that their acts be affirmed. The officers, however, should be required to account fully, through the appropriate department, for all sums collected by them, and such disbursements allowed as may be deemed necessary and proper for the maintenance and support of the anomalous government of that territory.

The peculiar condition of the territories of California and New Mexico, in respect to their internal governments; and the absence of any clearly defined authority by Congress for this object, has imposed delicate and difficult duties on the army. One of its assigned duties is to aid civil functionaries, when required, in the preservation of public tranquillity. But it is believed that the civil authority, so far as it had its origin in political power, in a great measure disappeared by the transfer of the sovereignty and jurisdiction from Mexico to the United States. The military regulations established for their government during the war, were superseded by the return of peace. A large concourse of foreign emigrants, not familiar with our institutions and habits, has been assembled in one of the territories, and engaged in a pursuit eminently calculated to produce collisions and bloodshed. Amidst all these difficulties, the army, aided by the confirmed habit of self-government in which the American citizen is reared, has protected these territories from general or unusual disorders. I respectfully submit a copy of the correspondence on this subject sent from and received at this department.

The reports, herewith, of the chiefs of the several bureaux connected with this department will exhibit in detail their respective operations, and to which I respectfully invite attention. The duties of these branches of the military service have been performed with accustomed fidelity, zeal, and ability.

Respectfully submitted.

GEO. W. CRAWFORD,
Secretary of War.

To the PRESIDENT: